



UNITED STATES PATENT AND TRADEMARK OFFICE

MN
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,016	08/21/2003	Petri Lahdesmaki	04770.00135	6227
22908 7590 06/19/2007 BANNER & WITCOFF, LTD. TEN SOUTH WACKER DRIVE SUITE 3000 CHICAGO, IL 60606			EXAMINER SAX, STEVEN PAUL	
			ART UNIT 2174	PAPER NUMBER
			MAIL DATE 06/19/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/645,016

Applicant(s)

LAHDESMAKI, PETRI

Examiner

Steven P. Sax

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/29/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This application has been examined. The terminal disclaimer filed 3/29/07 has been entered.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Bergsten et al (2003/0001907).

4. Regarding claim 1, Bergsten et al show: an apparatus for generating a user interface for display on a display device, the apparatus comprising a processor programmed to generate a user interface (Figures 1, 2) comprising the following elements: a main folder containing a plurality of elements and at least a first sequential subfolder containing a plurality of elements linked to main folder (Figures 4, 5, para 7, 9, 21); a fixed focus pointer that selects one of the plurality of elements of the main folder in response to interaction of a user and at least one moveable focus pointer that scrolls

Art Unit: 2174

through the plurality of elements of the at least first sequential subfolder to select one of the plurality of elements in response to interaction of a user (para 11, 21, 25). The elements of the first sequential subfolder are presented in a form of a carousel in the sense that they repeat and circulate (para 25).

5. Regarding claim 2, one element of the carousel creates a buffer for elements that are not presented (para 11).

6. Regarding claim 3, the element has a fixed position (para 21).

7. Regarding claim 4, the buffer element is placed in the middle of a rear carousel segment (para 11).

8. Regarding claims 5-6, the element may be visible or not visible (Figures 4, 5, para 21, 25).

9. Regarding claim 7, the element indicates the number of elements in the buffer (para 11).

10. Regarding claim 8, a diameter of the carousel is adjustable (para 25, the distance is variable).

11. Regarding claim 9, the diameter of the carousel is adjusted as a function of the number of the plurality of elements of the first sequential subfolder (para 25).

12. Regarding claim 10, the carousel is not fully presented on the display (para 25).

13. Regarding claims 11-13, an uppermost, or lowermost portion, or both of the carousel may not present on a display region (Figures 3-5, para 25).

14. Regarding claim 14, the information of content of elements is visible (Figures 3-5).

15. Regarding claim 15, the elements in the carousel are selectable (para 11, 21).

16. Regarding claim 16, the plurality of elements of the main folder and the at least first subfolder comprise icons (Figures 3-5).

17. Regarding claim 17, the plurality of elements of the main folder and the at least first subfolder may also comprise text (Fig 4-5, para 20, 21).

18. Regarding claim 18, the main folder and at least first sequential subfolder are scrollable (para 11).

19. Regarding claim 19, the carousel rotates on its axis (para 25).
20. Claim 20 shows the same features as claim 1 and is rejected for the same reasons.
21. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. Note though that the double patenting rejection has been removed in view of the terminal disclaimer.
22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P. Sax whose telephone number is (571) 272-4072. The examiner can normally be reached on Monday thru Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



STEVEN SAX
PRIMARY EXAMINER